

03-30-00



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#2 MA
03/29/00

| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: | | PRIOR APPLICATION | |
|---------------|---|----------|-------------------|----------|
| | CLASS | SUBCLASS | EXAMINER | ART UNIT |
| 13238.9USC1 | 536 | 027.100 | L. ARTHUR | 1634 |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EL544513617US
Date of Deposit: March 29, 2000

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

By: *Linda McCormick*
Name: Linda McCormick

JC542 U.S. PRO
03/09/538338
03/29/00

CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

This is a request for filing a continuation application under 37 CFR § 1.53(b) of Serial No. 08/775,401, filed on December 31, 1996 entitled PRECURSORS FOR DEOXYRIBONUCLEOTIDES CONTAINING NON-STANDARD NUCLEOSIDES by the following inventor(s):

| | | | |
|----------------------------|--|-------------------------------------|---|
| Full Name Of Inventor | Family Name BENNER | First Given Name STEVEN | Second Given Name A. |
| Residence & Citizenship | City GAINESVILLE | State or Foreign Country FLORIDA | Country of Citizenship USA |
| Post Office Address | Post Office Address 1501 NORTHWEST 68 TH TERRACE | City GAINESVILLE | State & Zip Code/Country FLORIDA 32605/USA |

Enclosed is a copy of the prior application; including the specification, claims, drawings, oath or declaration showing the applicant's signature, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 57 pages of specification, 3 claims, 1 pages of abstract, 3 sheets of drawings, and 1 pages of oath or declaration.

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

2. Cancel original claims 2-3 of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

3. The filing fee is calculated below:

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CLAIMS AS FILED

| NUMBER FILED | NUMBER EXTRA | | RATE | FEE |
|--------------------------------|--------------|---|--------------------------|-----------------|
| TOTAL CLAIMS: 1 | 0 | x | \$9.00 | \$0.00 |
| INDEPENDENT CLAIMS 1 | 0 | x | \$39.00 | \$0.00 |
| | | | BASIC FILING FEE: | \$345.00 |
| | | | TOTAL FILING FEE: | \$345.00 |
| | | | | |

A Verified Statement that this filing is by a small entity is already filed in the prior application.

A Verified Statement that this filing is by a small entity is attached.

4. Payment of fees:

Attached is a check in the amount of \$345.00.

Please charge Deposit Account No. 13-2725.

5. The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.

Amend the specification by inserting before the first line the sentence:

now U.S. Patent No. 6,014,046
 "This application is a Continuation of application Serial No. 08/775,401, filed December 31, 1996, which is a Continuation-in-Part of application Serial No. 08/542,142, filed October 12, 1995, now U.S. Patent No. 6,037,120, and a Continuation-in-Part of application Serial No. 08/375,132, filed January 17, 1995, now U.S. Patent No. 6,001,983, which is a Continuation-in-Part of application Serial No. 07/594,290, filed October 9, 1990, now U.S. Patent No. 5,432,272, which application(s) are incorporated herein by reference."

6. A set of formal drawings (3 sheets) is enclosed.

8. Priority of application Serial No. _____, filed on _____ in _____ is claimed under 35 U.S.C. 119.

The certified copy has been filed in prior application Serial No. _____, filed _____.

9. The prior application is assigned of record to _____ located at _____.

10. The Power of Attorney in the prior application is to:

Steven A. Benner
 1501 Northwest 68th Terrace
 Gainesville, Florida 32605

11. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

- Fee for excess claims is attached.
- 12. A petition and fee has been filed to extend the term in the prior application until _____. A copy of the petition for extension of time in the prior application is attached.
- 13. The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
- 14. Also Enclosed: Power of Attorney
- 15. Address all future communications to the **Attention of Bruce E. Black** (may only be completed by attorney or agent of record) at the address below.
- 16. A return postcard is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612/332-5300

Bruce E. Black
Bruce E. Black
Reg. No. 41,622
BEB/PSTpmc

Date: March 29, 2000